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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,289	02/17/2004	Norihisa Ina	50T5650.01	3339

7590 07/28/2005

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EXAMINER

NATNAEL, PAULOS M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,289

Applicant(s)

INA ET AL.

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-9 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-9 and 12-15 is/are allowed.
- 6) ☒ Claim(s) 2 and 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 2-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. While the RF gain amplifier is described in specifications and illustrated in the figures, the claimed IF gain adjust amplifier claimed as being comprised in the RF gain amplifier is not described in the specification nor illustrated in the figures. Therefore, the claimed "further comprising at least one IF gain adjust amplifier receiving at least one of: the IF output signal, and the filtered IF output signal, the IF gain adjust amplifier receiving, as input, an output signal from the demodulator" is not enabling and the skilled in the art would not be able to make or use the claims as claimed without undue experimentation.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 2-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Strolle et al., U.S. 6,005,640.

Considering claim 1, Strolle et al. (hereinafter Strolle) discloses a tuner 108 which conventionally comprises “an RF amplifier, a signal downconverter, an IF amplifier, and the like...” col. 3, line 10-12. The tuner outputs an IF signal to the IF processor 108 which comprises a saw filter (see col. 3, line 13+) Strolle also discloses a demodulator 118, which outputs a gain signal to the AGC which in turn outputs a gain signal to the tuner which includes an RF amplifier. Strolle further teaches that “the analog or digital signal reception is generally automatically accomplished by monitoring the signals within the combined demodulator. If the demodulated signals fit a certain criteria, the system controller deems the signals are from an analog television source, while other criteria are fulfilled by certain digital signal sources.” See col. 3, line 65 thru col. 4, line 5. Thus, Strolle meets the claim as claimed.

As to claim 3, Strolle teaches the digital demodulator 118, fig.1;

Allowable Subject Matter

5. Claims 4-9, 12-15 are allowed.

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6. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails "wherein the demodulator is an analog demodulator, and the RF gain adjust amplifier receives, as input, the filtered IF output signal in a digital cable mode and a signal from the demodulator in an analog cable mode, as in claim 4; and further comprising, a first power detection circuit including a first control voltage amplifier interposed between the tuner and the RF gain adjust amplifier and receiving the IF output signal and a second power detection circuit including a second control voltage amplifier interposed between the filter and the RF gain adjust amplifier and receiving the filtered IF output signal, as in claim 5; a first power detection line connecting the IF output signal to a single second switch and a second power detection line connecting the filtered IF output signal to the single second switch, as in claim 7; when the television system is in a terrestrial mode, controlling the gain using an intermediate frequency (IF) signal output by a television tuner;

when the television system is in a digital cable mode, controlling the gain using a filtered IF signal output by a filter; and when the television system is in an analog cable mode, controlling the gain using a signal output by a demodulator, wherein the gain is an RF gain and the acts of controlling are undertaken at least in a strong signal strength condition, and the method also includes controlling an IF gain in a weak signal strength condition using the output of a demodulator, as in claim 8;

when the television system is in a terrestrial mode, controlling the gain using an intermediate frequency (IF) signal output by a television tuner; when the television system is in a digital cable mode, controlling the gain using a filtered IF signal output by

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a filter; and when the television system is in an analog cable mode, controlling the gain using a signal output by a demodulator and the comprising using a switch to select the input to control the RF gain, as in claim 12;

A system for controlling the radiofrequency (IF) gain of a television, comprising. means for controlling an RF gain of the television; means for generating an intermediate frequency (IF) signal, means for filtering the IF signal to render a filtered IF signal; and switch means for selecting which controlling, based on a mode of the television signal to send to the means for, wherein when the television is in a terrestrial mode, the switch means selects the IF signal, and when the television is in a cable mode, the switch means selects at least one of: the filtered IF signal, and a signal from a demodulator; means for controlling an IF gain of the television; and switch means for selecting which gain in control, as in claim 15.

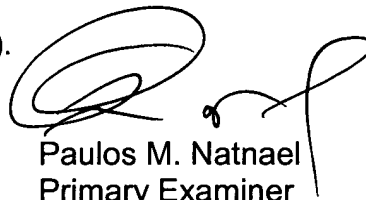
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2614

July 22, 2005